

109TH CONGRESS
1ST SESSION

S. 1887

To authorize the conduct of small projects for the rehabilitation or removal
of dams.

IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2005

Mr. KERRY (for himself, Mr. KENNEDY, and Mr. JEFFORDS) introduced the
following bill; which was read twice and referred to the Committee on En-
vironment and Public Works

A BILL

To authorize the conduct of small projects for the
rehabilitation or removal of dams.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SMALL PROJECTS FOR THE REHABILITATION**
4 **OR REMOVAL OF DAMS.**

5 (a) IN GENERAL.—The Secretary of the Army (re-
6 ferred to in this section as the “Secretary”) may carry
7 out a small dam removal or rehabilitation project, includ-
8 ing a project relating to a privately-owned dam that does
9 not generate hydropower, if the Secretary determines that

1 the project will enhance public safety or improve the qual-
2 ity of the environment, or is in the public interest.

3 (b) COST SHARING.—A non-Federal interest shall
4 provide 35 percent of the cost of the removal or remedi-
5 ation of any project carried out under this section, includ-
6 ing provision of all land, easements, rights-of-way, and
7 necessary relocations.

8 (c) AGREEMENTS.—Construction of a project under
9 this section shall be commenced only after a non-Federal
10 interest has entered into a binding agreement with the
11 Secretary to pay—

12 (1) the non-Federal share of the costs of con-
13 struction required by this section; and

14 (2) 100 percent of any operation and mainte-
15 nance costs.

16 (d) COST LIMITATION.—Not more than \$5,000,000
17 in Federal funds may be allotted under this section for
18 a project at any single location.

19 (e) FUNDING.—There is authorized to be appro-
20 priated to carry out this section \$25,000,000 for each fis-
21 cal year.

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